

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
NOVEMBER 10, 2004

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period September 1, 2004, through September 30, 2004.
- III. **FACTS:** For the period September 1, 2004, through September 30, 2004, EQC issued seventeen (17) Consent Orders with total assessed civil penalties in the amount of \$109,700.00. There was one (1) Administrative Order placed in force during this reporting period with total assessed civil penalties of \$37,000.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	1	\$ 18,000
Solid Waste	0	0	1	1,000
UST Program	0	0	1	600
SUBTOTAL	0	\$ 0	3	\$ 19,600
Water				
Drinking Water	0	\$ 0	5	\$ 4,500
Water Pollution	1	37,000	3	20,600
SUBTOTAL	1	\$37,000	8	\$ 25,100
Air Quality				
SUBTOTAL	0	\$ 0	6	\$ 65,000
TOTAL	1	\$37,000	17	\$ 109,700

ANALYSIS: During the reporting period, Solid Waste Enforcement issued a Consent Order against a radioactive waste transporter for failure to use the proper manifest for a shipment of radioactive waste that was delivered to the Chem-Nuclear disposal facility located in Barnwell, South Carolina. The Consent Order required the Respondent to pay a civil penalty of one thousand dollars (\$1,000.00) and to submit corrective action measures to prevent future violations. The Respondent has paid the penalty and submitted corrective action measures, which have been approved by the Department.

Water Pollution Enforcement issued a Consent Order against a food processing plant for failure to properly operate all of its pre-treatment units and for failure to properly notify the Department of several unauthorized discharges of partially treated wastewater to the environment and waters of the state. The Consent Order required the Respondent to pay a civil penalty of sixteen thousand eight hundred dollars (\$16,800.00) and to submit a corrective action plan, including a schedule of implementation detailing steps it has taken and steps to be taken to prevent additional unauthorized discharges. The Respondent has paid the penalty.

Air Quality Enforcement issued a Consent Order against a tire manufacturer for failure to submit an accurate and complete Title V Annual Compliance Certification, failure to maintain the average volatile organic compound (VOC) capture efficiency for several extruders and proprietary processes, failure to maintain total VOC emissions for one extruder, and failure to ensure that the required minimum average VOC capture efficiency was maintained, which is a violation of a previous Consent Order. The Consent Order required the Respondent to pay a civil penalty of twenty-nine thousand dollars (\$29,000.00) and maintain required average VOC capture and destruction efficiencies. The Respondent has paid the penalty.

Of the seventeen (17) Consent Orders issued by EQC enforcement programs during the reporting period, the enforcement programs report, to date, that thirteen (13) Respondents have either complied with all requirements of the orders or are currently in compliance with schedules required in those orders.

Submitted by:

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Deputy Commissioner
Environmental Quality Control